

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION AT KNOXVILLE**

DONNA THOMAS

Plaintiff

v.

LOWE'S HOME CENTERS, INC.

Defendant.

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Case No. _____

NOTICE OF REMOVAL

Defendant, Lowe's Home Centers, Inc. (hereafter "Defendant" or "Lowe's"), pursuant to 28 U.S.C. §§ 1332, 1441(b) and 1446 would respectfully show this Court as follows:

1. On or about October 18, 2012, Plaintiff filed a complaint against Defendant in the Circuit Court for Knox County, Tennessee, styled Donna Thomas v. Lowe's Home Centers, Inc., Case No. 1-570-12. Defendant was served with the Complaint through its registered agent on October 26, 2012. Pursuant to 28 U.S.C. § 1446(a), Defendant has attached as Collective Exhibit A hereto copies of all process, pleadings and orders served by or upon them in this action, including a copy of Plaintiff's complaint and summons.

2. No other pleadings or papers have been served on the Defendant, and no further proceedings have been had in the Circuit Court for Knox County, Tennessee, to date.

3. This Court has original jurisdiction of the Complaint in the above-styled action pursuant to 28 U.S.C. § 1331 because it is a civil action arising under the laws of the United States. Specifically, on the face of the Complaint, Plaintiff alleges that she was terminated in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000(e).

4. Because this Court has original jurisdiction over this action under 28 U.S.C. § 1331, removal of this case to this Court is proper under 28 U.S.C. § 1441.

5. Venue is proper in this district under 28 U.S.C. § 1446(a), as the United States District Court for the Eastern District of Tennessee, Northern Division is the federal district court for the district and division embracing the place where this removed state court action is pending.

6. This Notice of Removal has been filed with this Court within thirty (30) days of the service upon the Defendant of the Complaint and Summons in this action.

WHEREFORE, Defendant requests that this action be removed from the Circuit Court of Knox County, Tennessee to this Court.

DATED this 19th day of November, 2012.

Respectfully submitted,

BASS, BERRY & SIMS, PLC

s/ Tim K. Garrett
Tim K. Garrett (BPR# 012083)
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded via the Court's Electronic Mailing System to the following on this 19th day of November, 2012:

Edward G. White III
810 Henley Street
Knoxville, TN 37902

Kristi Davis
617 Main Street
P.O. Box 869
Knoxville, TN 37901

s/ Tim K. Garrett

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